

BEFORE THE DEPARTMENT OF COMMERCE
OF THE STATE OF MONTANA

| | | |
|------------------------------------|---|--------------------|
| In the matter of the proposed |) | NOTICE OF PROPOSED |
| amendment of ARM 8.119.101 |) | AMENDMENT |
| pertaining to the Tourism Advisory |) | |
| Council |) | NO PUBLIC HEARING |
| |) | CONTEMPLATED |

TO: All Concerned Persons

1. On April 25, 2007, the Department of Commerce proposes to amend the above-stated rule.

2. The Department of Commerce will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process and need an alternate accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m., April 5, 2007, to advise us of the nature of the accommodation that you need. Please contact Barbara Sanem, Department of Commerce, Montana Promotion Division, 301 S. Park Avenue, P.O. Box 200533, Helena, Montana 59620-0533; telephone (406) 841-2769; fax (406) 841-2871; or e-mail bsanem@mt.gov.

3. The rule as proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

8.119.101 TOURISM ADVISORY COUNCIL (1) remains the same.

(2) The Tourism Advisory Council incorporates by reference the guide entitled "Regulations and Procedures for Regional/CVB Tourism Organizations, February ~~2005~~ 2007," setting forth the regulations and procedures pertaining to the distribution of lodging facility use tax revenue. The guide is available for public inspection during normal business hours at the Montana Promotion Division, Department of Commerce, 301 S. Park Avenue, Helena, Montana 59620. Copies of the guide are available on request.

(3) Distribution of funds to regional nonprofit tourism corporations and to nonprofit convention and visitors' bureaus is contingent upon compliance with the "Regulations and Procedures for Regional/CVB Tourism Organizations, February-~~2005~~ 2007."

AUTH: 2-15-1816, MCA

IMP: 2-15-1816, MCA

REASON: It is reasonably necessary to amend this rule to provide clarification because the "2007 Regulations and Procedures for the Regional/CVB Tourism Organizations" have been revised and reorganized.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Barbara Sanem, Department of Commerce, Montana Promotion Division, 301 S. Park Avenue, P.O. Box 200533, Helena, Montana 59620-0533; fax (406) 841-2871; or e-mail bsanem@mt.gov. Comments must be received no later than April 20, 2007.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Barbara Sanem at the above address no later than 5:00 p.m., April 20, 2007.

6. If the department receives requests for a public hearing on the proposed action from either 10% or 25, whichever is less, of the persons who are directly affected by the proposed action; from the appropriate administrative rule review committee of the legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those has been determined to be 20 persons based on 11 Convention and Visitor Bureaus, six Tourism Regions, and at least 184 potential applicants for grants of accommodation tax funds.

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person and specifies for which program the person wishes to receive notices. Such written request may be mailed or delivered to the Department of Commerce, 301 S. Park Avenue, P.O. Box 200501, Helena, Montana 59620-0501, or by fax (406) 841-2701, or may be made by completing a request form at any rules hearing held by the department.

8. An electronic copy of this Notice of Proposed Amendment is available through the department's web site at <http://commerce.mt.gov>. The department strives to make the electronic copy of the Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the department works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

DEPARTMENT OF COMMERCE

/s/ G. MARTIN TUTTLE
G. MARTIN TUTTLE
Rule Reviewer

/s/ ANTHONY J. PREITE
ANTHONY J. PREITE
Director

Certified to the Secretary of State March 12, 2007.